

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

---

DESMOND WITHERSPOON,

Plaintiff,

v.

STATE OF NEW JERSEY,

Defendant.

---

**Civil Action No. 14-5645 (SRC)**

**OPINION**

**CHESLER**, District Judge

This matter comes before the Court on the application filed by Plaintiff Desmond Witherspoon (“Plaintiff” or “Witherspoon”) to proceed in forma pauperis without prepayment of fees, pursuant to 28 U.S.C. § 1915. Based on Plaintiff’s affidavit of indigence, the Court finds that Plaintiff qualifies for in forma pauperis status pursuant to 28 U.S.C. § 1915 and will direct that the Complaint be filed. However, the Complaint must be dismissed for lack of subject matter jurisdiction.

The Court has an independent obligation to satisfy itself of subject matter jurisdiction over an action. Liberty Mut. Ins. Co. v. Ward Trucking Corp., 48 F.3d 742, 750 (3d Cir. 1995). The Complaint contains absolutely no information at all. It merely states that the “cause of action” asserted against the State of New Jersey consists of a “refusal to give ori number.” According to the Federal Bureau of Investigation’s website, an “ORI” or “Originating Agency Identification” Number is “[a] nine-character identifier assigned to an agency.” The Complaint fails to plead any basis for federal subject matter jurisdiction. The Court must dismiss the action pursuant to Federal Rule of Civil Procedure 12(h)(3).

An appropriate Order will be filed.

s/Stanley R. Chesler  
STANLEY R. CHESLER  
United States District Judge

Dated: September 17, 2014